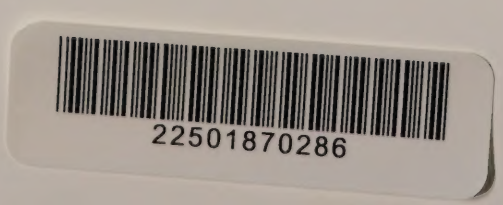



Ministry of Agriculture, Fisheries and Food

# Food Advisory Committee Annual Report 1992

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# Food Advisory Committee Annual Report 1992

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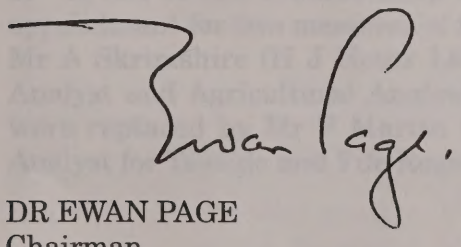
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# FOREWORD

1992 was a significant year in European terms with progress towards the Single European Market and the process of harmonising food legislation throughout the Community. During the past year, the Food Advisory Committee (FAC) has provided advice to the Government on a wide range of food safety and consumer protection issues and its recommendations have formed the basis of the UK line in negotiations on several proposed Directives currently under discussion in Brussels. There remains a substantial amount of work to be done in the harmonisation of some areas of EC food safety legislation and the FAC looks forward to its continued involvement.

One of the most important and difficult issues the Committee has tackled during 1992 has been the review of its Guidelines for the Labelling of Foods Sourced From Genetically Modified Organisms. Over the past year the Committee has considered the wide-ranging views received in response to its original Guidelines, which were issued for comment in January 1991. It has deepened its understanding of the technology involved, the practical problems and the genuine consumer concerns associated with genetic modification. To aid its understanding, the Committee visited the AFRC's Institute of Food Research at Reading in June 1992. It is evident that this is a difficult area which will continue to occupy much of the Committee's time in the year ahead.

As last year, I would like to thank other advisory committees, especially the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment, whose work has helped the FAC carry out its programme in 1992. We look forward to continued co-operation with them in the future.



DR EWAN PAGE
Chairman

DE EWAN PAGE
Chairman

# INTRODUCTION

## TERMS OF REFERENCE AND MEMBERSHIP

**1.** The Food Advisory Committee (FAC) is an independent non-statutory body appointed by Ministers and has the following terms of reference:

> 'To assess the risk to humans of chemicals which are used or occur in or on food and to advise Ministers on the exercise of powers in the Food Safety Act 1990 relating to the labelling, composition and chemical safety of food. In exercising its functions the Food Advisory Committee will take the advice and work of the Committee on Toxicity and other relevant advisory committees into account.'

**2.** The Committee's main task is to review and prepare reports on all matters within its terms of reference and where necessary to make recommendations for legislation. The Committee gives its advice to Ministers who may then decide to make that advice public. Its role and its relationship with other committees are described in more detail at Annex 1.

**3.** A list of the membership of the Committee is at Annex II. The term of appointment for two members of the Committee expired at the end of October 1992: Mr A Skrimshire (H J Heinz Ltd) and Mr R Nicolson (Regional Chemist, Public Analyst and Agricultural Analyst for the Western Isles Council). These members were replaced by Mr P Martin (Allied Breweries Ltd) and Mr R Evans (Public Analyst for Tayside and Fife Regions).

**4.** Members are appointed to the FAC because of the expertise they have gained through their professional involvement with the food industry or food issues generally. Committee members are reminded at the start of each meeting of the requirement to declare any interest in matters to be discussed. The Chairman may then, at his discretion, limit the participation of a member in a discussion. Ministers consider it important that the Committee's advice should not be subject to suspicion of bias on the grounds of undeclared commercial interests. In line with the move to greater openness in the work of Government advisory committees, a formal register of members' interests has been established. The register is published for the first time at Annex III of this Report.

**5.** This Report covers the business considered at the seven meetings held by the Committee during 1992.

# THE COMMITTEE'S WORK IN 1992

## MAJOR REVIEWS

### Food labelling

**6.** The Committee's previous Annual Report recorded that the FAC had completed and published a Report on its Review of Food Labelling and Advertising[1], that the Government had published its initial response to the Committee's Report[2], and that the Committee had also considered the results of a public consultation on the recommendations contained in its Report.

**7.** As the Committee had itself consulted extensively at an early stage, most of the responses from interested parties did not raise any new points which the FAC had not already considered during its review. However, in the light of the responses to the further public consultation, the FAC provided Ministers with some additional advice and made adjustments, in particular to its recommendations on claims. The Committee felt that Ministers might wish to consider strengthening further the proposed controls on health claims or even imposing a ban to ensure that consumers could not be misled by such claims.

**8.** On 4 August 1992, the Government published its final response to the Committee's Report[3] and accepted the majority of its recommendations. Most will need to be pursued in Brussels and implemented through EC legislation. Work has already begun in the context of the proposed amendments to the EC Food Labelling Directive, on quantitive ingredient declarations (QUID), ingredient listing of alcoholic drinks and provisions on the name of the food.

**9.** The Committee is extremely encouraged that the Government has accepted the majority of its recommendations and is actively pursuing their implementation.

### Review of consumer information in catering outlets

**10.** As part of the Government's initial response to the Committee's Report on its food labelling review, Ministers asked the FAC to carry out a further, more detailed, review of the information that is given to consumers in catering outlets.

**11.** The Committee invited comments from interested parties, including catering and consumer organisations and enforcement bodies. To assist the Committee, MAFF commissioned a survey into consumers' demands for information in catering establishments and on how consumers would like to see any further information provided. The survey was carried out by the National Consumer Council (NCC).

**12.** The consumer survey results did not show a high proportion of consumers demanding specific additional types of information from catering establishments to help them in making their choices. Nonetheless, both the consultation exercise and the survey indicated a strong desire for claims and descriptions to be accurate and not to be misleading. The survey results also indicated a clear consumer interest in information about the 'freshness' of the food on offer (e.g. whether it was prepared on the premises and cooked to order), on cooking methods, portion sizes, ingredients and nutritional content.

**13.** After considering all of the information presented, the Committee endorsed its earlier recommendations that caterers should be encouraged to pass to the consumer all the information available to them on foods which are prepacked, and that for other catering foods, they should be strongly urged to provide the fullest possible descriptions. The Committee recommended that the survey results should be published and brought to the attention of the catering industry, which should be encouraged to respond to the consumer interests and concerns identified by the survey. It considered that consumer demand for additional specific types of information was not at present strong enough to justify the introduction of legal requirements for information about foods sold in catering establishments, but suggested that this issue should be kept under review.

**14.** The Committee's advice has been submitted to Ministers and an announcement should be made early in 1993. MAFF is to publish the survey carried out by the NCC.

## Guidelines for the labelling of foods sourced from genetically modified organisms

**15.** The Committee has continued to devote much time and thought this year to the complex issues surrounding the question of whether foods produced using genetic modification should be labelled to enable consumers to make their own choice about whether they wish to purchase and consume foods produced using this technology. The Committee recognises both the potential importance of the use of genetic modification in food production and concerns felt by some consumers about possible uses of the technology. The Committee has also become acutely aware of the general lack of understanding in the public domain about the use of this technology in food production. The publication by MAFF's Biotechnology Unit of a series of free fact sheets about the use of biotechnology in food production was generally well received and was welcomed by the Committee as one step in the process of widening consumers' knowledge about the use of this technology.

**16.** In September 1992, Ministers appointed an independent expert group chaired by the Reverend Dr John Polkinghorne, President of Queens' College, Cambridge, to report on ethical concerns which might arise from the consumption of foods derived from genetic modification programmes and associated issues. The group will consider, as part of its remit, how the ethical and moral concerns of some consumers, in relation to genetic modification, might be addressed.

**17.** The Committee has also been kept informed about progress on EC Directive 90/220 (on the deliberate release into the environment of genetically modified organisms (GMOs))[4] and its implementation in the UK by the Genetically Modified Organisms (Deliberate Release) Regulations 1992[5]. This legislation controls the marketing of viable GMOs including those which are foods. The Committee is also mindful that the EC Commission has now produced a proposal for a Regulation on Novel Foods[6], which will consider the labelling of genetically modified foods. This Regulation, when implemented, will also take over the control of the marketing of genetically modified foods from EC Directive 90/220.

**18.** As its next step the FAC plans to carry out a further public consultation on the views of all interested parties on the question of labelling. The results of this and the Committee's further recommendations on the question of labelling such foods will then be submitted to Ministers.

## Review of additives used in foods specially prepared for infants and young children

**19.** As foreshadowed in the Committee's 1991 Annual Report, the FAC 'Report on the Review of the Use of Additives in Foods Specially Prepared for Infants and Young Children', was published on 7 May 1992[7]. This review also included a considerable input by the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT).

**20.** The Report recommended that fewer additives should be permitted for use in such foods. In making its recommendations, the Committee underlined its general philosophy that additives should only be permitted in this range of foods when there is a compelling case of need for their use to perform a technological function within the particular product. In applying this philosophy the Committee recommended:

- the strictest controls on additives used in infant formulae and special infant formulae, which are virtually the entire food intake (other than breast milk) of infants up to the age of four to six months. A permitted list of additives was recommended and maximum levels suggested;
- a slightly longer list of additives acceptable for use in follow-on formulae, the alternative or supplement to breast milk or infant formulae given to infants over four months;
- a wider range of additives for use in weaning foods, which include cereal-based, canned, bottled and dehydrated foods, and syrups and juices. These foods are part of a more varied diet usually given to infants after four to six months.

**21.** The Report considered the full range of additives requested by industry for use in foods which are manufactured solely for consumption by infants and young children. The recommendations apply only to the use of additives for technological purposes and not to those used primarily for nutritional purposes, for example, as a vitamin source. The Report also followed the advice of the COT on the safety-in-use of each additive for use in foods specially prepared for infants and young children and the COT's advice was included as an appendix.

**22.** Following the Report's publication, there was a period of consultation with all interested parties. The results of that consultation were considered by the Committee and its final recommendations will be submitted to Ministers early in 1993. The recommendations of the Report, taking account of the public consultation on it, will be used in negotiations in Brussels on a proposal for an EC Council Directive on Food Additives other than Colours and Sweeteners[8], which includes provisions for the use of additives in foods for infants and young children.

## Review of the emulsifiers and stabilisers in food regulations

**23.** Also published on 7 May 1992 was the FAC Report on its Review of the Emulsifiers and Stabilisers in Food Regulations[9]. The review covered all substances permitted for use in food by the Emulsifiers and Stabilisers in Food Regulations. The COT re-evaluated the safety-in-use of these additives and the COT's report appears as an appendix to the FAC Report.

**24.** Emulsifiers help mix together ingredients, such as oil and water, that would normally separate; stabilisers prevent them from separating again. Emulsifiers are widely used throughout the food manufacturing industry in the production of such

foods as bread, flour confectionery, ice cream, margarine, desserts, toppings, chocolate and sugar confectionery and some soft drinks.

**25.** The Committee recommended that the use should continue to be permitted of all those emulsifiers and stabilisers which were classified by the COT either as acceptable for use in food or provisionally acceptable pending further studies being conducted within a specified period.

**26.** Following Ministers' acceptance of the Committee's advice, there was a period of public consultation. The Committee has considered the responses to that consultation process and will be submitting its final recommendations to Ministers early in 1993. The recommendations in the Report, taking account of the results of the consultation process, will be used in negotiations on a proposal for an EC Council Directive on Food Additives other than Colours and Sweeteners[8].

## CASES OF NEED

**27.** In assessing the need for a particular additive, the FAC must be satisfied by adequate supporting evidence that there is a clear benefit to the consumer that cannot reasonably be achieved by use of an already permitted additive, or by any other means. In deciding whether there is a benefit to the consumer, the Committee takes into account:

- the need to maintain the wholesomeness of food products up to the time they are consumed;
- the need for food to be presented in a palatable and attractive manner;
- convenience in purchasing, packaging, storage, preparation and use;
- the extension of dietary choice;
- the need for nutritional supplement; and
- any economic advantage.

### Fructo-oligosaccharides

**28.** Fructo-oligosaccharides (FOS) are naturally occurring substances able to perform the dual functions of bulking aids and sweeteners. Although the Committee regarded FOS as additives as they fell within both the UK and EC definitions, they were not considered to be bulk sweeteners in the UK because they fell outside the definition of a sweetener as set out in the Sweeteners in Food Regulations 1983[10].

**29.** The Committee examined the case of need submission and has sought the advice of the COT on the safety-in-use of FOS and of the Committee on Medical Aspects of Food Policy (COMA) on the nutritional consequences of ingesting FOS. Once the FAC has considered the advice of the COT and the COMA its final advice will be submitted to Ministers.

### Hemicellulase in bread making

**30.** The addition of the enzyme hemicellulase to bread dough was claimed to enhance the ability of the dough to retain gas, which in turn resulted in the production of bread with improved volume and texture. It was also claimed that the use of the enzyme would help bakers to overcome the problems encountered in producing bread of consistent quality from home-grown wheat, which had variable baking characteristics. This should lessen the need to import the stronger Canadian wheats or the need to use oxidising improvers, gluten supplementation or the

addition of emulsifiers, which were all claimed to be more expensive options. The Committee has examined the case of need submission and is awaiting the advice of the COT on its safety-in-use before submitting its final advice to Ministers.

### The use of dimethyl dicarbonate as a sterilising agent in soft drinks

**31.** Dimethyl dicarbonate (DMDC) is intended for use as a cold sterilant for certain soft drinks. It is not currently permitted in UK Regulations, but the proposal for an EC Council Directive on Food Additives other than Colours and Sweeteners[8] lists DMDC as a preservative for use at a level of 250 mg/l in non-alcoholic water-based and fruit juice-based flavoured drinks, canned liquid tea and herbal infusions and in alcohol-free wines.

**32.** The Food Additives and Contaminants Committee (FACC) had accepted a *prima facie* case of need for DMDC in 1980. The COT subsequently advised that DMDC was suitable for use as a cold sterilant in non-alcoholic drinks at a maximum level of 250 mg/l.

**33.** The FAC endorsed the FACC's case of need decision and was content for DMDC to be used as set out in the EC proposal. Ministers have accepted this advice and officials will use it in negotiations on the EC proposal.

## RISK ASSESSMENT

### Review of the use of aspartame

**34.** This review was carried out as part of MAFF's and the Department of Health's continuing programme of cyclical reviews of food additives. Aspartame is permitted for use by the Sweeteners in Food Regulations 1983[10] although, like other sweeteners, the Regulations prohibit its use in food specially prepared for infants and young children (except those with special dietary requirements).

**35.** The FACC's Report on the Review of Sweeteners in Food[11] recommended that, within five years of the implementation of the new sweeteners regulations, intake data should be collected on all sweeteners. Two diary record surveys were carried out, as reported in Food Surveillance Paper No. 29[12]. The Committee sought the advice of the COT, which had itself already embarked on a review of the safety data on aspartame.

**36.** Following its review, the COT set an Acceptable Daily Intake (ADI) for aspartame of 0–40 mg/kg bw/day and a Tolerable Daily Intake (TDI) of 0–7.5 mg/kg bw/day for a diketopiperazine (DKP) product, which is a major breakdown product of aspartame. The FAC considered the potential intakes of both aspartame and DKP and was reassured that consumers did not exceed either the ADI or the TDI. Nevertheless, the FAC has advised that, as the market for aspartame may continue to increase, the situation should continue to be monitored.

**37.** An additional factor considered by the Committee was the well-being of the sufferers of the rare metabolic disorder phenylketonuria (PKU). Sufferers of PKU are unable to metabolise effectively the essential amino acid phenylalanine, which is a component of aspartame, and are advised to restrict their dietary intake of it.

At present there is a voluntary labelling system, but both the FAC and the COT recommended that all foodstuffs containing aspartame should carry a mandatory additional label to indicate to PKU sufferers that aspartame contains the amino acid phenylalanine. Ministers accepted this recommendation and an announcement was made on 30 July 1992[13].

**38.** The FAC also examined the development of encapsulated aspartame, which would make this sweetener heat-stable and thus suitable for use in baked goods such as cakes and biscuits. The Committee concluded that, to the extent that this product development could be taken up in the foodstuffs categories which would be permitted to contain sweeteners under the proposed EC Council Directive on Sweeteners 'for Use in Foodstuffs'[14], it was content. This would limit the application in fine bakery products to those for special nutritional uses (e.g. for diabetics) up to a maximum level of 1700 mg/kg. However, the Committee did not wish to see the use of aspartame extended to non-diabetic baked goods at much higher levels, in view of the potential for marked increases in intakes which might result, possibly leading to intakes exceeding the COT's ADI.

**Natural toxicants in comfrey**

**39.** In its 1991 Report on Dietary Supplements and Health Foods[15], the joint MAFF/DH Working Group was concerned that the Medicines Control Agency (MCA) had withdrawn product licences for preparations containing certain herbs, including comfrey. As a result, the COT was asked to review the safety-in-use of five of these herbal products when sold as foods. The first of these was comfrey.

**40.** Comfrey and some other herbal products are the major direct route of human exposure to pyrrolizidine alkaloids (PAs), which can cause liver damage. On the basis of the evidence available to it, the COT did not feel able to set a TDI for PAs. Instead, it based its recommendations on the levels of the PAs found in comfrey products. The COT split the products into two main groups: comfrey tablets and capsules (which were found to have high levels of PAs), and the tinctures and infusions of comfrey (in which the levels were lower).

**41.** The Committee considered the COT's comments and submitted its advice to Ministers. An announcement will be made early in 1993.

**Patulin in apple juice**

**42.** As part of MAFF's food surveillance programme, samples of apple juice were analysed for the mycotoxin patulin. The survey included a wide range of available clear and cloudy apple juices. The results showed that patulin contamination was particularly associated with cloudy juices and that elevated levels were found in some samples of the cloudy apple juice. However, the Committee was convinced that the levels found were insufficient to justify immediate action.

**43.** After considering advice from the COT, the Committee submitted its advice to Ministers, which was accepted. In December 1992 the Parliamentary Secretary (Commons) met representatives of the apple juice industry. He informed them of the Committee's recommendation that producers immediately introduce appropriate quality control measures to ensure that the levels of patulin in apple juice did not exceed an 'action level' of 50 μg/kg. Industry was also told of the Committee's other recommendations: that a code of practice should be drawn up by industry to encourage the adoption of best practice by all producers; and that publicity material

should be produced on patulin, to be targeted at small producers and consumers. The Committee will review the situation during 1993 in the light of further survey results and consider whether there is a need for a reduction in the 'action level' or whether regulatory action might be appropriate.

### Propionic acid in hamburger buns and pitta bread

**44.** In 1991, the Committee advised that propionic acid could be used as a preservative in bread and Christmas puddings at a maximum level of 1000 mg/kg in the final product. Subsequently the Committee's advice was sought on an extension of the permitted uses, to include the use of propionic acid in hamburger buns and pitta bread at a maximum level of use of 1000 mg/kg. The Committee considered these additional uses in the light of the COT's ADI of 0–6 mg/kg bw/day and agreed that it could accept them in the expectation that they would not lead to intake levels exceeding the ADI. Ministers have accepted this advice and officials will now use it in negotiations on a proposal for an EC Council Directive on Food Additives other than Colours and Sweeteners[8].

### Gellan gum

**45.** In 1987, the FAC considered and agreed a case of need for high and low clarity gellan gum. The European Commission's Scientific Committee for Food (SCF) and the Joint FAO/WHO Expert Committee on Food Additives (JECFA) had each set an ADI 'not specified' in 1989 and 1991 respectively. The term 'not specified' is used when the estimated consumption of the additive is expected to be well below any numerical value that would ordinarily be assigned to an ADI.

**46.** Gellan gum falls within the functional category of emulsifiers and stabilisers, although it is not currently permitted in UK Regulations. It would be used in such foods as yoghurts, milk drinks, desserts, ice cream and jams and jellies.

**47.** The Committee was asked to consider gellan gum in the context of its inclusion in the proposal for an EC Directive on Food Additives other than Colours and Sweeteners[8]. In that proposal gellan gum (E418) is included at Annex I, which would allow its use in all foods at *quantum satis.** The Committee is currently considering the advice of the COT.

## CONTINUING WORK

**48.** The following items are from the Committee's 1991 Annual Report and summarise the outcome of the recommendations to Ministers which had not been made public before that Report's publication.

### Chymosin from transgenic *Escherichia coli K-12*

**49.** In the Committee's 1991 Annual Report, it was recorded that the Committee was awaiting the advice of the COT and the Advisory Committee on Novel Foods

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**Quantum satis*, as defined in the proposal for an EC Council Directive on food additives other than colours and sweeteners, means 'that no maximum level is specified. However, these food additives should be used according to good manufacturing practice at a level not higher than is necessary to achieve the intended purpose, and provided they do not mislead the consumer'.

and Processes (ACNFP) on a third new enzyme preparation to be used in the manufacture of cheese. The source organism for the enzyme preparation was a genetically modified strain of the bacterium *Escherichia coli K-12.*

**50.** On 2 March 1992, the Government announced on its acceptance of the advice of the FAC, COT and ACNFP that the new enzyme preparation was safe for use in the manufacture of cheese[16]. The Government also accepted the Committee's recommendation that, as with the previous two chymosin preparations, no special labelling was necessary. Nevertheless, the Committee indicated that its Guidelines on the Labelling of Foods Sourced From Genetic Modification were being reviewed.

**Thiabendazole: review of dietary intakes following advice from the COT and the Advisory Committee on Pesticides (ACP)**

**51.** During 1991 the Committee had been asked to examine the results of studies by the COT and the ACP, both of which had set a temporary ADI of 0–0.05 mg/kg bw/day for this substance. Thiabendazole (TBZ)(E233) is a permitted preservative on citrus fruit and bananas under the Preservatives in Food Regulations 1989[17]. It is also used as a post-harvest fungicide on certain fruit and vegetables and as a veterinary treatment for parasitic worms in cattle and sheep.

**52.** The Committee concluded that potential dietary intakes of TBZ did not exceed the temporary ADI. However, the manufacturers of TBZ have been asked to supply the COT with further toxicity data. Ministers accepted the Committee's advice and this was announced on 7 May 1992[18].

**Sulphites: review of dietary intakes following advice from the COT**

**53.** During 1991 the FAC was asked to examine the results of a review by the COT on sulphur dioxide and its permitted inorganic salts used as preservatives. Sulphur dioxide (E220) and sulphites (E221–E227) are permitted for use in food by the Preservatives in Food Regulations 1989[17] and are used in foods such as soft drinks, dried fruits, jams and alcoholic drinks.

**54.** The Committee concluded that intakes of these permitted preservatives in foodstuffs do not exceed the ADI set by the COT of 0–3.5 mg sulphur dioxide/kg bw/day and give no cause for concern. Ministers accepted the Committee's advice and an announcement was made on 19 May 1992[19].

**Controls on ice cream**

**55.** The FAC's 1991 Annual Report recorded that the Committee had submitted further advice to Ministers following their decision not to revoke the Ice Cream Regulations 1967. Ministers accepted the Committee's further advice that the emphasis should be placed on informative labelling rather than specific compositional standards and agreed to await introduction of EC measures on QUID before reviewing the situation.

**OTHER SUBJECTS**

**56.** The following paragraphs describe other subjects considered by the Committee during 1992.

*(i) Food Surveillance Paper on dioxins in food*

In conjunction with advice from the COT, the Committee considered the results of the surveillance work set out in the draft Food Surveillance Paper. The Committee's comments were reflected in a statement of its views which appeared as an appendix to the Food Surveillance Paper when it was published on 29 January 1992[20].

*(ii) Food Surveillance Paper on nitrite, nitrate and N-nitroso compounds*

In conjunction with advice from the COT, the Committee considered the results of the surveillance work set out in the draft Food Surveillance Paper. The Committee's comments were reflected in a statement of its views which appeared as an appendix to the Food Surveillance Paper when it was published on 21 May 1992[21].

*(iii) Food Surveillance Paper on veterinary residues*

In conjunction with advice from the COT, the Committee considered the results of the surveillance work set out in the draft Food Surveillance Paper. The Committee's comments were reflected in a statement of its views which appeared as an appendix to the Food Surveillance Paper when it was published on 25 June 1992[22].

*(iv) Food Surveillance Paper on pesticide residues*

In conjunction with advice from the COT, the Committee considered the results of the surveillance work set out in the draft Food Surveillance Paper. The Committee's comments were reflected in a statement of its views which appeared as an appendix in the Food Surveillance Paper when it was published on 20 November 1992[23].

*(v) Food Surveillance Paper on mycotoxins*

In conjunction with advice from the COT, the Committee considered the results of the surveillance work set out in the draft Food Surveillance Paper. The Committee's comments will be reflected in a statement of its views which will appear as an appendix to the Food Surveillance Paper when it is published.

*(vi) Fat substitutes: market update*

The Committee considered an update of the development of the market for fat substitutes. It agreed that the market had not yet sufficiently developed for the Committee to consider the possible need for any further action. The Committee has asked to be presented with further updates as the market develops.

*(vii) Changes in the UK market for sweeteners and their implications for the intake of sweeteners*

The Committee considered the results of a review of the current market for intense and bulk sweeteners and the likely influence of market developments on dietary intake. The Committee agreed that no further action on intakes was required at present and asked to be kept informed about market developments.

*(viii) Production processes, specifications and quality assurance procedures used by the microbial enzyme manufacturing industry*

The Committee agreed to the use of a checklist for any future screening of submissions for the use of enzyme preparations to establish whether good

manufacturing practice had been carried out. In doing so, the Committee recognised that advice on the safety of manufacturing processes falls to the COT which has drawn up guidelines on microbial enzymes encompassing this.

*(ix) Flavourings: future controls on chemically defined flavouring substances*

The Committee considered how various categories of flavourings might be controlled on a Community-wide basis, taking account of the views previously expressed by the FACC. The discussion was in advance of expected EC Commission proposals on the method of control for chemically defined flavouring substances. The Committee's advice will be submitted to Ministers in order to assist them in formulating a UK negotiating line for the discussions in Brussels when the EC proposal is received.

*(x) Production of additives by alternative processes*

The Committee considered a paper giving the background on current controls relating to changes in the manufacturing process of additives. The Committee has asked to be kept up to date with any changes and will consider the subject again in 1993.

*(xi) Use of mineral hydrocarbons in food contact materials: recent research*

The Committee considered the results of recent research into the use of mineral hydrocarbons in food contact materials and agreed to await the results of the COT's consideration of recent toxicological studies on mineral hydrocarbons carried out for the Conservation of Clean Air and Water in Europe (CONCAWE) before considering the subject further.

*(xii) Processing aids*

Once EC additives legislation has been agreed the European Commission is expected to turn its attention to processing aids. The Committee wished to be in a position to be able to advise on the UK negotiating line for such discussions. There is little information currently available on the usage of processing aids by the UK food manufacturing industry. The Committee therefore asked for a MAFF/industry survey to be carried out on the extent and use of processing aids.

*(xiii) Chemical contaminants in food*

In view of expected proposals for EC legislation to control chemical contaminants in food, the Committee was asked to give advice on various options for a framework measure which officials could use in EC negotiations.

*(xiv) The assessment and management of risk from natural toxicants inherently present in food*

The Committee considered a position paper on the progress being made in developing a risk assessment and management strategy in the area of natural toxicants in food. The Committee welcomed the progress to date and asked to be made aware of any particular hazards as they became known as well as being kept informed of progress in assessing specific substances.

*(xv) Graphical representation of nutrients on food labels*

The Committee had a preliminary discussion about the presentational issues of various systems of nutrition labelling, which might be helpful to consumers in

addition to the numerical system set out in the EC Nutrition Labelling Directive. It welcomed the research into different forms of labelling carried out for MAFF by the Coronary Prevention Group, but noted that the Group's criteria for categorisation as 'high', 'medium' or 'low' in a nutrient had significant disadvantages and did not match the Committee's own recommendations on nutrition claims. The Committee asked MAFF to prepare a consultation paper.

## THE COMMITTEE'S WORK IN 1993 – A FORWARD LOOK

**57.** Much of the Committee's work for the coming year has already been determined, partly by work still to be done on those items for which the Committee is awaiting advice from other bodies and partly by its regular work on risk assessment evaluations and case of need submissions. The following describes some of the other key areas of work on which the FAC will be engaged in 1993.

### Labelling of foods sourced from genetic modification

**58.** As already indicated in paragraph 18 of this Report, the Committee plans to carry out a further public consultation during the Spring of 1993 to elicit the views of all interested parties on the question of labelling foods produced using genetic modification. Once the Committee has considered the results of that consultation it expects to be in a position to advise Ministers.

### Areas of forthcoming EC legislation

**59.** There are several key subjects on which the European Commission is expected to produce proposals in the foreseeable future, such as flavourings, processing aids and food chemical contaminants, including natural toxicants. The Committee is and will continue to be actively involved in providing advice to Ministers and MAFF officials to formulate a negotiating line for the various discussions in Brussels.

### Graphical representation of nutrients on food labels

**60**. As already indicated in paragraph 56(xv), MAFF intends to consult interested parties on the main options for a system of graphical representation of nutrients for use on food labels. The Committee will consider the results of the consultation and make recommendations on one or possibly more non-numerical systems which will help consumers make better use of the numerical nutrition information already given on food labels.

# ANNEX I

## THE ROLE OF THE COMMITTEE AND ITS RELATIONSHIP WITH OTHER COMMITTEES

### THE ROLE OF THE COMMITTEE

#### Assessment of food additives

**1.** The use of food additives in the UK is controlled by the Food Safety Act 1990. For most classes of additives, only those listed in Regulations made under the Act may be added to food, although they will in future be subject to specific controls under European and UK implementing legislation. Flavourings are at present the one major exception to this rule, but they are nonetheless subject to the general controls of the Food Safety Act. If a manufacturer requests that a new additive should be included in the relevant list or a new use should be allowed for an additive already on the list, it is for the FAC to consider whether there is a genuine need for that additive or use. With the benefit of safety advice from the COT, the Committee formulates advice to Ministers who then decide whether or not the relevant Regulations should be amended. Existing permitted additives and uses are also periodically reassessed.

#### Risk assessment

**2.** The assessment of additives and other substances in food involves the assessment of risk. The Committee draws on the detailed work of the COT, of other advisory committees and of the MAFF Food Science Divisions, in determining whether new substances or substances which are already permitted in food will be or continue to be safe for use. If intake levels of a particular substance in the human diet are likely to increase significantly, to a level at which appropriate action would be required because of a new use or changing dietary patterns, the Committee will then advise on the management of that risk. It might, for example, recommend maximum levels of use or that a new substance or use should not be permitted at all.

**3.** In recent years the Committee's role in the risk assessment and risk management procedure has grown, largely as a consequence of the change in format of the safety advice offered by the COT. In the past the COT has offered its advice in the form of categories A to E, which defined the degree of suitability of a food additive for use in food. The COT, in line with most expert advisory committees on food safety, now issues its advice in a numerical form as an ADI[24]. The ADI has most recently been defined by the WHO[25] as 'an estimate of the amount of a food additive, expressed on a body weight basis, that can be ingested over a lifetime without appreciable health risk'. This change has meant that the FAC has become responsible for the final stage of the safety evaluation in so much as the advice in the form of an ADI needs to be interpreted against current and likely future intakes of the additive concerned. This is necessary in order to determine whether advice on risk management is required to maintain intakes by UK consumers within acceptable limits.

### Risk management

**4.** Where a potential risk to consumers is identified, the FAC balances this risk against evidence of possible benefit to consumers from the use of the substance. This allows the FAC to recommend strategies for the effective management of food chemical risks. In some cases current and future uses may need to be restricted in order to maintain intakes within acceptable levels. In other cases, it may be more appropriate to issue advice to potentially vulnerable groups of the population who might otherwise be in danger of exceeding acceptable intakes.

### Labelling

**5.** Food labelling is controlled by the Food Safety Act 1990 and the Food Labelling Regulations 1984 (as amended) which implement the EC Food Labelling Directive. The Directive largely harmonises food labelling legislation throughout the Community and there is now very little scope for unilateral national measures except for foods which are sold loose, including those sold in catering establishments. The Committee advises Ministers on labelling issues within this context. It advises on general policy, for example, in relation to EC proposals and it considers the need for special labelling for certain categories and individual products. The FAC's report on its major 1990 review of food labelling[1] set out the Committee's broad philosophy in this area and stressed the importance of clear, accurate and informative labelling, with which Ministers agreed.

### The European aspect

**6.** A further and increasingly important aspect of the Committee's role relates to the harmonisation of legislation on matters of food safety, labelling and consumer protection throughout the European Community. The FAC is one element of a wide process of consultation and advice to Ministers which helps form the basis for a negotiating position in Brussels on those matters. With the advent of the Single European Market, a large number of detailed measures remain to be agreed and it is important that the UK plays a leading role in the formation of EC legislation.

## RELATIONSHIP WITH OTHER GOVERNMENT ADVISORY COMMITTEES

**7.** The FAC was formed in November 1983, following the amalgamation of the FACC and the Food Standards Committee (FSC). It forms part of a network of committees that advises Government on many different aspects of food. The maintenance of close links between these committees is vital to the Government's role in ensuring the continued safety of our food supply. The following paragraphs explain the FAC's relationship with some of these other committees.

### Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT)

**8.** The FAC works very closely with the COT, whose members are appointed by the Government's Chief Medical Officer and whose remit is to advise on the toxic risk to humans of a wide range of substances affecting everyday life. The Chairman of the COT, Professor Frank Woods, is also a member of the FAC. Part of the COT's role is to evaluate data submitted in support of requests for approval of new additives or uses as well as other relevant information and it then advises the FAC

on their safety-in-use. The FAC takes full account of this advice in formulating its subsequent recommendations to Ministers. The COT also carries out regular reviews of existing substances to ensure, with the aid of more modern analytical techniques and knowledge, that there are no new safety concerns. The FAC, in its role of risk assessment and risk management, therefore has to consider this safety advice in the context of actual and likely future intakes of the substance by UK consumers, in order to advise Ministers of any restrictions on food use which might be required.

**Advisory Committee on Novel Foods and Processes (ACNFP)**

**9.** The ACNFP is appointed to advise Health and Agriculture Ministers on matters relating to the manufacture of novel foods or foods produced by novel processes. The FAC, COT and the ACNFP work closely together at all times, such co-operation being illustrated by the way in which they liaise over their considerations of different aspects of the application of genetic modification to food production. Professor Frank Woods, Chairman of the COT and a member of the FAC, is also a member of the ACNFP.

**Steering Group on Chemical Aspects of Food Surveillance (SGCAFS)**

**10.** The SGCAFS co-ordinates surveillance of the chemical safety and nutritional value of the food supply. Much of its work is carried out through specialist working parties which cover the broad areas making up the Steering Group's current programme. All of this work is reported in Food Surveillance Papers which are published by HMSO. The FAC considers the draft Papers and then, in conjunction with advice from the COT, comments on them in the form of an FAC statement, which is normally included as an appendix to the relevant Food Surveillance Paper. Professor Marian Hicks, a member of the FAC, was, until October 1992, a member of the Steering Group.

**Advisory Committee on the Microbiological Safety of Food (ACMSF)**

**11.** The ACMSF advises Health and Agriculture Ministers on the risk to humans of micro-organisms which are used or occur in or on food and on matters relating to the microbiological safety of food. Two members of the FAC, Professor Douglas Georgala and Mrs Barbara Saunders, are also members of the ACMSF.

**Advisory Committee on Pesticides (ACP)**

**12.** The ACP advises Ministers on any matters relating to the control of pests, including the regulatory control of pesticides. The ACP takes into account any likely residue of pesticides that may be left in finished food products. The FAC recognises that this is a matter of consumer concern and keeps in regular touch with the ACP's work.

**Veterinary Products Committee (VPC)**

**13.** The VPC advises Ministers on the safety, quality and efficacy of veterinary medicinal products as defined in the Medicines Act 1968 and promotes the collection and investigation of information relating to adverse reactions. Like the ACP, the VPC considers consumer safety in terms of residues which might enter the food chain. The FAC therefore keeps in touch with developments in this area.

**Committee on Medical Aspects of Food Policy (COMA)**

**14.** The COMA is a committee of experts chaired by the Government's Chief Medical Officer (CMO). It provides the Government with independent advice on matters relating to nutrition, diet and health. Although COMA meets only twice a year, it operates through a system of sub-committees and expert panels set up to report to COMA on particular matters. Each sub-committee is chaired by a member of COMA. Dr Roger Whitehead, an FAC member, was a member of COMA until June 1992 and chaired its Panel on Dietary Reference Values. The FAC seeks the advice of COMA on specific nutritional matters, such as the nutritional implications of new developments in fat replacers.

# ANNEX II

## LIST OF FAC MEMBERS

Members of the Committee are appointed for their personal expertise and do not represent particular interests. In general they are drawn from the areas of academia, the food industry, food law enforcement and consumer affairs.

**FAC MEMBERSHIP DURING 1992**

| | |
|---|---|
| Ewan S Page (Chairman) BSc MA PhD CBIM FBCS C eng FASA | Vice-Chancellor, University of Reading |
| Professor Douglas Georgala (Deputy Chairman) CBE PhD FIFST | Director of Food Research, AFRC and Director of the Institute of Food Research |
| Margaret Ashwell BSc PhD FIFST FRSH | Science Director, British Nutrition Foundation |
| Denis Cumming | Director of Quality Assurance, Safeway plc |
| Robin Evans BSc MChemA CChem FRSC AIFST (from November 1992) | Public Analyst, Tayside Regional Council |
| Mrs Joy Hardinge BSc FIFST | Head of Legislation (Flavours and Ingredients), Quest International |
| Professor Marian Hicks OBE BSc PhD DSc FRCPath | Science Director, United Biscuits (UK) Ltd, Group Research and Development Centre |
| Roger Manley FITSA | County Fair Trading and Advice Officer, Cheshire County Council |
| Miss Patricia Mann FCAM FIPA CBIM FRSA | Director of External Affairs, J Walter Thompson Company Ltd |
| Tom Martin BSc MIFST FIBrew (from November 1992) | Technical Director, Allied Breweries |
| Mrs Jill Moore OBE | Member of the National Consumer Council and Vice-President of National Federation of Consumer Groups |
| Ronald Nicolson MChemA FIFST FIWEN CChem FRSC (until October 1992) | Regional Chemist, Public Analyst and Agricultural Analyst for the Council for Strathclyde and Public Analyst and Agricultural Analyst for the Western Isles Council |

| | |
|---|---|
| Mrs Barbara Saunders BA | Freelance Consultant on Consumer Policy, Member of the European Commission's Consumer Consultative Committee |
| Tony Skrimshire CChem FRSC FIFST (until October 1992) | Director, Technical Co-ordination Europe, H J Heinz Company Ltd |
| John Stevens BSc PhD | Technical Director, St Ivel Ltd |
| Roger Whitehead CBE BSc MA PhD CBiol FIBiol Hon MRCP | Director of the Medical Research Council's Dunn Nutrition Unit, Cambridge, UK and the Gambia, West Africa |
| Professor Frank Woods BSc BM BCh D Phil FFPM FRCP (Lond and Edin) | Head of the Department of Medicine and Pharmacology, Royal Hallamshire Hospital and Dean of the University of Sheffield Medical School, Faculty of Medicine and Dentistry |

**Officials of the Food Advisory Committee Secretariat**

| | |
|---|---|
| Administrative Secretary: | Miss B J Richards |
| Scientific Secretary: | D P Atkins BSc PhD (until January 1992) |
| | D H Watson BSc PhD DMS CBiol MIBiol (from January 1992) |
| Administrative Assessor: | R C McKinley |
| Scientific Assessor: | J R Bell BSc PhD CChem MRSC (until September 1992) |
| | J C Sherlock BSc PhD CChem FRSC FIFST (from September 1992) |
| Department of Health Assessor: | N Lazarus MB BCh BSc PhD FRCPath |
| Minutes Secretary: | Mrs S Cooke |

## ANNEX III

# REGISTER OF MEMBERS' INTERESTS

MEMBERS HAVE DECLARED CURRENT PERSONAL AND NON-PERSONAL INTERESTS AS FOLLOWS:

| | PERSONAL INTERESTS (i.e. those involving payment to the member personally) | | NON-PERSONAL INTERESTS | | |
|---|---|---|---|---|---|
| MEMBER | NAME OF COMPANY | NATURE OF INTEREST | NAME OF COMPANY | NATURE OF INTEREST | WHETHER CURRENT |
| **Dr E S Page** (Chairman) | None | | Wide range of national and international food companies | Vice-Chancellor of the University of Reading which has extensive activity in teaching and research in food science and technology and in topics related to and supported by, many companies in the food industry. Trustee of the University of Reading non-academic staff pension fund and of The Research Endowment Trust both of which have held, hold or may in the future hold investments in the food industry. | Yes |
| **Dr M Ashwell** | None | | The British Nutrition Foundation | Science Director of the British Nutrition Foundation (a non-profit-making organisation which is registered as a charity), whose work is principally funded by about 50 food and drink companies (both retailers and manufacturers). | Yes |
| **Mr D Cumming** | Safeway Stores plc (Argyll Group plc) | Salary, shares and share options, interest not limited | None | | |

| | PERSONAL INTERESTS | | NON-PERSONAL INTERESTS | | |
|---|---|---|---|---|---|
| MEMBER | NAME OF COMPANY | NATURE OF INTEREST | NAME OF COMPANY | NATURE OF INTEREST | WHETHER CURRENT |
| **Mr R Evans** (appointed to FAC in November 1992) | None | | None | | |
| **Prof. D Georgala** | Unilever plc | Share holder | Wide range of national and international food companies | Director of the Institute of Food Research (IFR), the principal public-funded food research institute. Its departments also undertake confidential research contracts for food companies and Government or EC sponsored collaborative contract research, involving national and international food companies on topics of food composition; quality; safety; dietary effects; new technology. Industry-funded studentship and research training fellowships are also received by the Institute. | Yes |
| **Mrs J Hardinge** | Unilever plc<br>Quest International | Share holder<br>Salary | None | | |
| **Prof. M Hicks** | United Biscuits (UK) Ltd | Share holder<br>Salary | None | | |
| **Mr R Manley** | None | | None | | |
| **Miss P Mann** | J Walter Thompson Company Ltd | Consultancy | None | | |

| | PERSONAL INTERESTS | | NON-PERSONAL INTERESTS | | |
|---|---|---|---|---|---|
| MEMBER | NAME OF COMPANY | NATURE OF INTEREST | NAME OF COMPANY | NATURE OF INTEREST | WHETHER CURRENT |
| **Mr P A Martin** (appointed to FAC in November 1992) | Allied Breweries Ltd<br>Allied-Lyons plc | Salary<br>Shares, Share options | None | | |
| **Mrs J Moore** | None | | None | | |
| **Mr R Nicolson** (retired from FAC in October 1992) | None | | None | | |
| **Mrs B Saunders** | None | | None | | |
| **Mr A Skrimshire** (retired from FAC in October 1992) | H J Heinz Company Ltd | Salaried Director, Technical Co-ordination Europe | None | | |
| **Dr J Stevens** | St Ivel Ltd (subsidiary of Unigate plc) | Salaried Director<br>Share options | None | | |

| | PERSONAL INTERESTS | | NON-PERSONAL INTERESTS | | |
|---|---|---|---|---|---|
| MEMBER | NAME OF COMPANY | NATURE OF INTEREST | NAME OF COMPANY | NATURE OF INTEREST | WHETHER CURRENT |
| **Dr R Whitehead** | None | | The Dunn Nutrition Centre | Director of the Medical Research Council's Dunn Nutrition Centre in Cambridge. By the nature of his responsibilities, he advises a wide range of processing and retail companies within the food industry on issues concerning diet and health. Additionally, research links exist between a number of food companies and individual research groups within the Centre under the Director's overall supervision. | Yes |
| **Prof. H F Woods** | Cadbury Schweppes<br>Edinburgh Investment Trust<br>Foreign and Colonial Investment Trust<br>Hanson<br>Smith and Nephew | Share holder | Wide range of national and international food and chemical companies. | Dean of the University of Sheffield Medical School, Faculty of Medicine and Dentistry, which has extensive activity in teaching and research in food science and technology and in topics related to and supported by many companies in the food and chemical industry. Trustee of the Hallamshire Theraputics Research Trust Ltd, Harry Bottom Charitable Trust and Special Trustees for the former United Sheffield Hospitals. | Yes |

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# ANNEX V

## GLOSSARY

| | |
|---|---|
| ACMSF | Advisory Committee on the Microbiological Safety of Food |
| ACNFP | Advisory Committee on Novel Foods and Processes |
| ACP | Advisory Committee on Pesticides |
| ADI | Acceptable Daily Intake |
| COMA | Committee on Medical Aspects of Food Policy |
| COT | Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment |
| DH | Department of Health |
| FAC | Food Advisory Committee |
| FACC | Food Additives and Contaminants Committee |
| FAO | Food and Agriculture Organisation of the United Nations |
| FSC | Food Standards Committee |
| FSD | Food Safety Directorate (MAFF) |
| JECFA | Joint FAO/WHO Expert Committee on Food Additives |
| MAFF | Ministry of Agriculture, Fisheries and Food |
| MCA | Medicines Control Agency (DH) |
| SCF | Scientific Committee for Food (EC) |
| SGCAFS | Steering Group on Chemical Aspects of Food Surveillance |
| TDI | Tolerable Daily Intake |
| VPC | Veterinary Products Committee |
| WHO | World Health Organisation |

Address PO Box 9058
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